

**FILED****NOT FOR PUBLICATION**

FEB 06 2008

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

**RECEIVED**

FEB 19 2008

JERRY LEE DOUGLAS,

No. 07-35365

CLERK, U.S. DISTRICT COURT  
ANCHORAGE, ALASKA

Plaintiff - Appellee,

D.C. No. CV-03-00221-JWS

v.

ZEE HYDEN,

ORDER AMENDING  
MEMORANDUM DISPOSITION  
AND DENYING PETITION FOR  
REHEARING

Defendant - Appellant.

Before: KLEINFELD, TASHIMA, and TALLMAN, Circuit Judges.

The memorandum disposition filed on January 18, 2008, is amended as follows: The final sentence is stricken in its entirety.

It shall be replaced with the following: "Accordingly, we REVERSE the district court's order granting the federal habeas corpus petition. We REMAND to the district court to conduct such further proceedings as it deems necessary."

With this amendment, we DENY Douglas's Petition for Rehearing.

No further petitions shall be entertained.

JAYNE GOLDBECK  
CLERK OF THE COURT  
FEB 19 2008  
*[Signature]*